

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF GEORGIA  
COLUMBUS DIVISION

JOANN BRYANT, etc., et al.,

Plaintiff,

v.

HARRIS COUNTY, et al.,

Defendants.

CIVIL ACTION FILE NO.

STATE CIVIL ACTION  
FILE NO. 17-CV-355  
(HARRIS COUNTY, GEORGIA  
SUPERIOR COURT)

**NOTICE OF REMOVAL**

Under 28 U.S.C. §§ 1441, 1446, Defendants in the above-styled case give notice that the above-styled case is removed from the Superior Court of Harris County, Georgia, to the United States District Court for the Middle District of Georgia, Columbus Division, on the following grounds:

1. This notice is filed on behalf of all named Defendants in the above-styled case.
2. This action was commenced in the Superior Court of Harris County, Georgia, as Civil Action File No. 17-CV-355. It is a civil suit under 42 U.S.C. § 1983 for damages based on alleged denial of Eighth and Fourteenth Amendment rights protected by federal law. The federal claim was added in the first amended complaint filed April 24, 2018. No federal claim was previously pled.

Plaintiff also alleges violations of state law. Copies of the original complaint and first amended complaint are attached, as are all other process, pleadings, and orders served upon or provided to Defendants. In addition, Defendants have attached their motions to dismiss, responses, and replies. These motions have been pending in the Superior Court of Harris County but have not yet been decided. The following exhibits, with the dates of filing, are attached:

<b>Exhibit</b>	<b>Date of Filing</b>	<b>Description</b>
A	11/11/2017	Complaint
B	11/11/2017	Summons
C	11/13/2017	Order Appointing Private Process Server
D	11/14/2017	Affidavit of Service on Barber
E	11/14/2017	Affidavit of Service on Ga. Dept. of Admin. Services, Risk Management
F	11/14/2017	Affidavit of Service on Flowers
G	11/14/2017	Affidavit of Service on Garren
H	11/14/2017	Affidavit of Service on Haden
I	11/14/2017	Affidavit of Service on Harris County Prison
J	11/14/2017	Affidavit of Service on Maddox
K	11/14/2017	Affidavit of Service on McDowell
L	11/14/2017	Affidavit of Service on Moore
M	11/14/2017	Affidavit of Service on Walker
N	11/14/2017	Affidavit of Service on Ga. Dept. of Corrections Deputy Commissioner Dozier
O	11/14/2017	Affidavit of Service on Harris County
P	11/14/2017	Sherriff's Entry of Service on Chris Carr
Q	12/12/2017	Waiver of Service by Barber
R	12/12/2017	Waiver of Service by Flowers

<b>Exhibit</b>	<b>Date of Filing</b>	<b>Description</b>
S	12/12/2017	Waiver of Service by Garren
T	12/12/2017	Waiver of Service by Maddox
U	12/12/2017	Waiver of Service by McDowell
V	12/12/2017	Waiver of Service by Moore
W	12/12/2017	Waiver of Service by Walker
X	12/14/2017	Answer by Ga. Dept. of Corrections
Y	12/14/2017	Motion to Dismiss by Ga. Dept. of Corrections
Z	12/20/2017	Answer by Garren
AA	12/20/2017	Answer by Maddox
BB	12/20/2017	Answer by Barber
CC	12/20/2017	Answer by Walker
DD	12/20/2017	Answer by Harris County Prison
EE	12/20/2017	Answer by Harris County
FF	12/20/2017	Answer by McDowell
GG	12/20/2017	Answer by Flowers
HH	12/20/2017	Answer by Moore
II	12/20/2017	Motion to Dismiss by Harris County, Harris County Prison, Garren, Maddox, Walker, McDowell, Flowers, Moore, and Barber
JJ	1/10/2018	Answer by Haden
KK	1/10/2018	Motion to Dismiss by Haden
LL	1/15/2018	Pl.'s Response to Motion to Dismiss by Ga. Dept. of Corrections
MM	1/19/2018	Pl.'s Response to Motion to Dismiss by Harris County Defs.
NN	2/9/2018	Joint Stipulation to Dismiss Harris County Prison
OO	2/9/2018	Pl.'s Response to Motion to Dismiss by Haden
PP	4/24/2018	First Amended Complaint (adding federal claims)

3. This Court has original jurisdiction under 28 U.S.C. §§ 1331 and 1343.

4. Under 28 U.S.C. § 90(b)(3), the United States District Court for the Middle District of Georgia, Columbus Division, has jurisdiction over this action and is the district court having venue over the geographical area where the state court action is pending.
5. Defendants first received notice of these federal claims when they were served with the first amended complaint on April 24, 2018. This notice of removal is timely filed and this action is properly removable.

WHEREFORE Defendants pray that this cause be removed to the United States District Court, Columbus Division, Middle District of Georgia, and that no further proceedings occur in the Superior Court of Harris County, Georgia.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that I have this day electronically filed the foregoing NOTICE OF REMOVAL AND EXHIBITS with the Clerk of Court using the CM/ECF system and served the opposing parties by mailing a copies, with sufficient postage attached, to:

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This 24<sup>th</sup> day of May, 2018.

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